



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/683,600	01/24/2002	Scott C. Harris	Connect-Net	6414
23844	7590	10/08/2003	EXAMINER JACKSON, BLANE J	
SCOTT C HARRIS P O BOX 927649 SAN DIEGO, CA 92192			ART UNIT 2685	PAPER NUMBER 2
DATE MAILED: 10/08/2003				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/683,600

Applicant(s)

HARRIS, SCOTT C.

Examiner

Blane J Jackson

Art Unit

2685

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) ____ is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Drawings

2. This application, filed under former 37 CFR 1.60, lacks formal drawings. The informal drawings filed in this application are acceptable for examination purposes. When the application is allowed, applicant will be required to submit new formal drawings. In unusual circumstances, the formal drawings from the abandoned parent application may be transferred by the grant of a petition under 37 CFR 1.182.
3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: figure 1, connection 110. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

4. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction

of the dependency of claims 11 and 12 is required, expected by the office to show dependency on claim 8 to satisfy proper antecedent basis.

Also, claim 16 states "said portable telephone" without antecedent basis.

Correction is required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

6. Claims 1-5 are rejected under 35 U.S.C. 102(e) as being anticipated by Raith (U.S. Patent 6,493,550).

As to claims 1, 3 and 4, Raith teaches a system including:

a telephone having a connection to a telephone line (figure 3, telephone (350))

a computer, remote from the telephone (figure 3, column 5, lines 14-23, computer system (340)),

a connection between the telephone and the computer using a protocol which does not require a dedicated wire connection between the telephone and computer, the connection between the telephone and computer operative to allow requests to be sent from the telephone to the computer for processing and to allow information responsive to the requests to be returned from the computer to the telephone (a private system includes wireless Bluetooth protocol connection to upload and download various types of information (e-mail, voicemail) between the registered private system telephone user and private system computer (column 5, line 50 to column 6, line 4 and column 6, lines 48-67)).

As to claim 2, Raith does not teach the connection includes a home phone line networking connection over an existing telephone wire between the computer and telephone. Specifically, Raith teaches a private radio system that utilizes a computer system and local area network with Bluetooth technology to process information and connect the computer system with the mobile communication station (column 5, lines 14-29). However, it is well known in the art where local area networks and bidirectional radio systems may be configured for any combination of wired or wireless connections and telephones.

As to claim 5, Raith teaches a system where the telephone is selectively connected to the telephone line based on a command from the computer, which is coupled over the connection (proximity checks and system access, column 6, line 48 to column 7, line 13).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Raith (U.S. Patent 6,493,550) with a view to Schmidt (U.S. Patent 6,018,668).

As to claim 6, Raith teaches a private telephone system but does not teach group call control.

Schmidt teaches a system comprising a plurality of telephones and a computer commands only certain ones of the telephones to be commanded to communicate based on applied information (group call initiated by the caller ID of the originating caller- figure 7, column 3, line 36 to column 4, line 8). It would have been obvious to one of ordinary skill in the art at the time of the invention to implement in the system of Raith the group call methods of Schmidt as a further feature in call control to a plurality of telephones.

9. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Raith (U.S. Patent 6,493,550) with a view to Pepper et al. (U.S. Patent 5,930,700).

As to claim 7, Raith teaches a private telephone system but does not teach user requests for the computer to recognize spoken voice and return recognition information indicative of the spoken voice.

Pepper teaches a method and system for automatically screening and directing incoming calls where the caller is identified by either the phone book database or speaker identification with identification of the caller displayed to the subscriber or call redirect to voicemail for subscriber retrieval (column 6, lines 30-54). It would have been obvious to one of ordinary skill in the art at the time of the invention to include in the system of Raith the call control methods of Pepper to identify the calling party to the system subscriber for subsequent call routing.

10. Claims 8-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pepper et al. (U.S. Patent 5,930,700) with a view to Schmidt (U.S. Patent 6,018,668).

As to claims 8 and 9 and 11, Pepper teaches a system and method for automatically screening and directing incoming calls including detecting an incoming call and automatically detecting some aspect of the incoming telephone call (detecting Caller ID, figure 3, column 6, lines 12-15). Pepper teaches preventing a single telephone, the called party from ringing if the aspect does not meet a predetermined criteria (identification), otherwise allowing the single telephone to ring (column 6, lines 30-46, call routing).

Pepper does not teach preventing and controlling a plurality of telephones from ringing.

Schmidt teaches an originating telephone initiates a group call to a plurality of telephones triggered by the caller ID field from the originating telephone for call control through a MSC and group ID server to control and identify participants (figure 3, column 3, lines 36-65). It would have been obvious to one of ordinary skill in the art to modify the system of Pepper with the established group control methods of Schmidt to affect the control of a plurality of telephones with a single call.

As to claim 10, Pepper teaches a call control system with a network interface includes a telephone network interface (304) figure 5) that includes a speech recognition module to identify the caller (column 6, line 61 to column 7, line 13).

As to claim 12, Pepper teaches where automatically detecting comprises monitoring a users response (voice print) to a specified aspect at a first time and carrying out the same response at a second time (the network interface portion of the system generates a voice template for the caller for later identification - column 7, lines 2-9).

11. Claims 13 is rejected under 35 U.S.C. 102(e) as being anticipated by Pepper et al. (U.S. Patent 5,930,700).

As to claim 13, Pepper teaches a system and method for automatically screening and directing incoming calls including:

a first computer (figure 3, (302) receiving a voice to be recognized (supplied by a communication device, such as a telephone, fax machine or computer and by obvious extension, a PDA with telephone capabilities, column 5, lines 19-22),

a second computer (figure 3, (102)), ^{+ PDA (202)} including automatic voice recognition capability (the network interface module (304), figure 5, column 6, line 56 to column 7, line 13),

a network connection between the first and second computers where the first computer operates to receive the voice to be recognized (caller's voice for system identification), send information indicative of the voice to be recognized to the second computer and receive recognition information indicative of the voice to be recognized from the first computer (identification of caller for call routing, column 6, lines 30-54).

5/20/07
12. Claims 14-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pepper et al. (U.S. Patent 5,930,700) with a view to Raith (U.S. Patent 6,493,550).

As to claims 14, 15 and 17, with reference to claim 13, Pepper teaches a system and method for automatically screening and directing incoming calls based on a second computer (figure 3, (102)) as well as a PDA capable of a network connection to a second computer with wireless telephone functions but does not teach a wireless portable phone or personal digital assistant includes a first computer (the calling device) with a network connection to a second computer.

Raith teaches a private wireless communication system with connection to a communications station (figure 3, mobile station (350)) alternatively connectable to a

public communications system where the mobile station can be configured to wirelessly receive and output information such as e-mail or voicemail (column 3, lines 34-43 and column 6, lines 48-55). It would have been obvious to one of ordinary skill in the art at the time of the invention to recognize the first computer in the system of Pepper would additionally function with the wireless device as taught by Raith for wireless bidirectional flow of information to affect call routing.

As to claim 16, with reference to claim 14, Pepper does not teach using text to control some aspect of the portable telephone.

Raith teaches a portable telephone with display (figure 1, (120)), with inherent text information to support the user's actions to upload and download information (column 6, lines 48-55 and column 5, lines 50-66). It would have been obvious to one of ordinary skill in the art at the time of the invention to recognize text messages in the telephone of Pepper modified as taught by Raith for information control.

As to claim 18, with respect to claim 13, Pepper modified teaches the network connection (between the first and second computer) is completed with a wireless connection but is silent as to a connection over an existing (landline) telephone line. Specifically, Raith teaches a private radio system that utilizes a computer system and local area network with Bluetooth technology to connect computer system (second computer) with the mobile communication station (first computer) (column 5, lines 14-29). However, it is well known in the art where local area networks and bidirectional

radio systems may be configured for any combination of wired or wireless connections. Therefore, it would have been obvious to one skilled in the art at the time of the invention to alternatively configure Pepper modified with a wired connection for all telephone (first and second computer) communications.

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kim (U.S. Patent 6,546,002) teaches a system and method for using a mobile interface agent to dynamically access programs, applications, URLs, IP addresses, telephone numbers, user profiles and the like that are specific to a user via any computer type device. Kanevsky et al. (U.S. Patent 6,219,407) teaches a computer based home telephone system for improved digit recognition and caller identification in telephone mail messaging.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Blane J Jackson whose telephone number is (703) 305-5291. The examiner can normally be reached on Monday through Friday, 8:00 AM-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on (703) 305-4385. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Application/Control Number: 09/683,600
Art Unit: 2685

Page 11

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

BJJ


EDWARD F. URBAN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600